

Australian Human Rights Commission

Access to justice in the criminal justice system for people with a disability.

My Response

Barriers & suggestions for assistance.

Appropriate facilities eg. Appropriate seating - I cannot sit for long periods of time without a break. Prolonged sitting, particularly in unsuitable seating causes increasing back pain due to a spine injury (not visible to anyone). Standing for a prolonged period can also cause pain.

Rest places may be needed by some disabled people eg. laying down.

The position in the court room may also be important eg. ability to see or be seen may be important for people with low vision.

Steps into the witness box are a barrier.

Many people are dependant on medication/equipment that must be administered at specific times or occasions - eg. episodic.

There may be special dietary needs. Eating & toileting facilities need to be accessible & appropriate.

Goals in this state are not well designed or equipped for people with disabilities.

Interviews with nursing staff, & seeking their recommendations, would greatly assist in addressing this situation which puts stress on prison staff.

Few staff in the criminal justice system have any training for dealing with disabled people and this is unfair on both parties.

All people in the justice system need basic training in dealing with disabled/suspected disabled persons.

All judges, court staff, police prosecutors must undergo training,

Specialist teams need to have advanced training to deal with disabled persons.

Where communication difficulty is experienced appropriate personnel must be engaged to assist.

The engagement of highly qualified speech therapists to train workers in communication skills would be a definite bonus as these people have specialist methods and tools to aid in effective communication.

Speech therapists can also be used as interpreters for some offenders/victims/witnesses as they have specialised skills in understanding people with speech impairments

I am in agreement with the 5 barriers that have already been identified in your Issues Paper, April 2013.